IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

APPEAL FROM ORDER NO. 397 OF 2007

Schon Plastics Private Limited.... Appellant

versus

M/s. Indian Petrochemicals
Corporation Limited. ..... Respondent.

Ms. Gauri Godse for the appellant

CORAM; A.P. DESHPANDE, J.
DATED; 11TH JUNE, 2007

P.C.;

1. Present petititoner is the original plaintiff who instituted the suit for damages so also for injunction. In the said suit an application for temporary injunction was moved and injunction was sought seeking to restrain the defendant from disinvestment of its equity in IPCL in favour of the strategic partner M/s Reliance Petro Investments Limited. The trial court has rejected the application mainly on the ground that on 4-6-2002 the process of disinvestment was completed, whereas the suit has been filed in the year 2006 seeking injunction to restrain the defendant from disinvesting the IPCL. Perused the order. The same does not call for any interference at the hands of this court in exercise of writ

jurisdiction.

2. At this stage the learned counsel for the petitioner submits that the observations made in the impugned order may weigh with the trial court deciding the suit on merit. The apprehension of the learned counsel is ill founded in as much as the observations made in the impugned order are primafacie in nature and would not weigh with the trial court while deciding the suit on merit. In the result the Appeal against order fails and it is summarily dismissed.

3. In view of the dismissal of the A.O. Civil application is also disposed of.

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